

**WEDNESDAY, DECEMBER 13, 2006**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, December 13, 2006** in Committee Room #2, at 11: 10 a.m.

The following members were present:

**The Honorable Carla Smith, Chair**  
**The Honorable Mary Norwood, Vice Chair**  
**The Honorable C. T. Martin**  
**The Honorable Joyce Sheperd**

The following members were absent:

**The Honorable Anne Fauver**  
**The Honorable Howard Shook**  
**The Honorable Natalyn Archibong**

Others present at the meeting were, Charletta Wilson Jacks, Zoning Administrator, Department of Planning and Community Development; City Attorneys Lem Ward, Peter Andrews and Terri Grandison, Law Department; and members of the Public and Council staff.

### **A. ADOPTION OF AGENDA - ADOPTED**

**B. APPROVAL OF MINUTES - APPROVED**

## CONSENT AGENDA

### **C. ORDINANCES FOR FIRST READING**

06-O-2688 ( 1) An Ordinance by Zoning Committee to rezone from the  
**Z-06-126** R-4 (Single-Family Residential) District to the RG-3

(Residential General-Sector 3) District, property located at **390 and 398 Stovall Street, SE**, fronting approximately 203.85 feet from the northeast corner of Stovall Street and Faith Avenue.

Depth: Approximately 150 Feet  
Area: Approximately 0.46 Acre  
Land Lot: 12, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Broadstone Glenwood, LLC.

Applicant: Broadstone Glenwood, LLC.

**NPU-W** **Council District 5**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

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**CONSENT AGENDA**

**C. ORDINANCES FOR FIRST READING (CONT'D)**

06-O-2689 ( 2)  
**Z-06-127**      An Ordinance by Zoning Committee to rezone from the C-1 (Community Business) and R-4 (Single-Family Residential) Districts to the MRC-1 (Mixed Residential Commercial) District, property located at **2370 and 2380 Hosea Williams Drive (formerly known as Boulevard Drive and also addressed as 2374) SE**, fronting approximately 150.27 feet on the north side of Hosea Williams Drive and located at the intersection of Hosea Williams Drive and Second Avenue.  
Depth:                      Approximately 200 Feet  
Area:                        Approximately 0.688 Acre  
Land Lot:                  204, 15<sup>th</sup> District, Dekalb County, Georgia  
Owner:                      2<sup>nd</sup> Avenue Associates, LLC.  
Applicant:                Eric Kronberg  
**NPU-O    Council District 5**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

06-O-2690 ( 3)  
**Z-06-128**      An Ordinance by Zoning Committee to rezone from the C-1 (Community Business) and R-4 (Single-Family Residential) Districts to the MRC-1 (Mixed Residential Commercial) District, property located at **2068-2100 Dekalb Avenue, NE**, fronting approximately 426 feet on the north side of Dekalb Avenue and located at the intersection of Dekalb Avenue and Dekalb Place.  
Depth:                      Approximately 146 Feet  
Area:                        Approximately 1.454 Acres  
Land Lot:                  212, 15<sup>th</sup> District, Dekalb County, Georgia  
Owner:                      Paul G. Grier and Robert S. Wayne  
Applicant:                Franco Defoor Properties, LLC.  
**NPU-N    Council District 5**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

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**CONSENT AGENDA**

**C. ORDINANCES FOR FIRST READING (CONT'D)**

06-O-2691 ( 4)  
**Z-06-129** An Ordinance by Zoning Committee to rezone from the I-1 (Light Industrial) and MR5A-C (Multi-Family Residential-Conditional) Districts to the PD-MU (Planned Development-Mixed Use) District, property located at **643 Tenth Street and 1000 Northside Drive, NW and 646 Eleventh Street, NW**, fronting approximately 334.87 feet on the west side of Northside Drive. Property is bordered by Tenth Street on the south, Watkins Street on the west, Edgehill Avenue on the southwest and Eleventh Street on the north.

Depth: Varies

Area: Approximately 3.57 Acres

Land Lots: 149 and 150, 17<sup>th</sup> District, Fulton County, Georgia

Owner: Tivoli 643 Holdings, LLC.

Applicant: Tivoli 643 Holdings, LLC.

**NPU-E**

**Council District 3**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

06-O-2692 ( 5)  
**U-06-31** An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-11.005(l)(h) for a Hotel, property located at **247 Buckhead Avenue, 3039 Bolling Way, 210 and 220 Pharr Road and 3009 and 3013 Peachtree Road, NE**, fronting approximately 226 feet on the south side of Buckhead Avenue, approximately 337 feet on the east side of Peachtree Road, approximately 339.84 feet on the west side of Bolling Way and approximately 251.71 feet on the north side of Pharr Road.

Depth: Varies

Area: Approximately 3.0 Acres

Land Lot: 99, 17<sup>th</sup> District, Fulton County, Georgia

Owners: John A. Hartrampf, Jr. (Action Outdoor Advertising, LLC.), Stafford Pharr, LLC. and Village Properties

Applicant: Buckhead Avenues Development Co., LLC.

**NPU-B**

**Council District 7**

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**CONSENT AGENDA**

**C. ORDINANCES FOR FIRST READING (CONT'D)**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

- 06-O-2693 ( 6)  
**U-06-32**
- An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-11.005(l)(h) for a Hotel, property located at **3057, 3059, 3063, 3067, 3069 and 3071 Peachtree Road, NE**, fronting approximately 226 feet on the south side of Buckhead Avenue, approximately 337 feet on the east side of Peachtree Road, approximately 339.84 feet on the west side of Bolling Way and approximately 251.71 feet on the north side of Pharr Road.
- Depth: Varies  
Area: Approximately 3.0 Acres  
Land Lot: 99, 17<sup>th</sup> District, Fulton County, Georgia  
Owners: John A. Hartrampf, Jr. (Action Outdoor Advertising, LLC.), Stafford Pharr, LLC, and Village Properties
- Applicant: Buckhead Avenues Development Co., LLC.  
**NPU-B** **Council District 7**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

- 06-O-2694 ( 7)  
**U-06-33**
- An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-11.005(l)(h) for a Hotel, property located at **255, 295, 285, 281, 271, and 265 East Paces Ferry Road and 248, 262, 270, 280, 284 and 292 Buckhead Avenue, NE**, fronting approximately 275 feet on the north side of Buckhead Avenue, approximately 249 feet on the west side of North Fulton Drive and approximately 262 feet on the east side of Bolling Way.
- Depth: Varies  
Area: Approximately 3.223 Acres  
Land Lot: 99, 17<sup>th</sup> District, Fulton County, Georgia  
Owners: James L. Cates/Aaron Rents, R. Charles Loudermilk, Joann Selig/Steve Selig Life Trust, David Davenport Rohrig Pollack, LLC., George Rohrig
- Applicant: Buckhead Avenues Development Co., LLC.  
**NPU-B** **Council District 7**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

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**REGULAR AGENDA**

**D. ORDINANCES FOR SECOND READING**

- 06-O-1927 ( 1)     An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Jim Maddox and Ceasar C. Mitchell **as substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, As Amended, so as to create a New Chapter to be entitled, 8B, Fulton County Townhouse Residential; to establish design guidelines for said District; to enact, by reference and incorporation, a Map establishing the boundaries of said District for the Cascade Glenn; to amend the City of Atlanta Zoning Maps; to modify the zoning process for annexations; and for other purposes. **(Forwarded with no recommendation by Zoning Committee 9/13/06) (Referred back by Council 12/04/06) (Held 12/13/06 For further review)**

**HELD**

- 06-O-2698 ( 2)     An Ordinance by Councilmember Carla Smith imposing Interim Controls on applications for building permits concerning any sign employing electronically changing digital message technology which is not currently regulated by the City of Atlanta Sign Ordinance, until such time as the City Council has taken final action to amend the Code of Ordinances to regulate the manner in which such digital messages are generated and the spacing of signs employing such technology or for 180 days whichever is the first to occur; and for other purposes.

**FAVORABLE**

**E. PAPERS HELD IN COMMITTEE**

- 06-O-0038 ( 1)     An Ordinance by Councilmember Carla Smith to  
**Z-05-56** amend Various Sections of the Zoning Code of the City of Atlanta, for the purpose of clarifying and/or defining certain terms related to Supportive Housing; to provide how applications for such uses are to be processed; defining the term Community Center and removing certain redundant terms related to such use; redefining the conditions under which dormitories, Sorority Houses and Fraternity Houses are permitted; deleting rooming houses and boarding houses as permitted uses in certain districts; and for other purposes. **(Held 2/1/06 for further review)**

**HELD**

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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

06-O-0273 ( 2)     An Ordinance by Councilmembers Carla Smith, Ivory Lee Young, Jr. and Cleta Winslow correcting Ordinance Number 04-O-0179/Z-04-24 which amended Section 16-29.001(16) "Human Services" including Personal Care Homes, Rehabilitation Centers and Nursing Homes by clarifying and/or redefining certain terms; and for other purposes. **(Held 2/1/06 for further review)**

**HELD**

06-O-0286 ( 3)     An Ordinance by Zoning Committee to rezone  
**Z-06-05**             from the RG-4-C-HBS (Residential General-Sector 4 Conditional-Historic Building/Site) and RG-4-C (Residential General-Sector 4-Conditional) Districts, to the RG-4-C (Residential General-Sector 4-Conditional) District, property located at **2494 and 2510 Peachtree Road (a.k.a. 2500 Peachtree Road), NE**, fronting approximately 387.76 feet on the west side of Peachtree Road, beginning 400 feet from the southwest corner of Muscogee Avenue and Peachtree Road. **(Held 3/29/06 for further review)**

Depth:             Varies

Area:               Approximately 3.086 Acres

Land Lot:          112, 17<sup>th</sup> District, Fulton County, Georgia

Owner:             2500 Peachtree Condominium Association, Inc.

Applicant:        2500 Peachtree Condominium Association, Inc.

**NPU-C**

**Council District 8**

**HELD**

06-O-0007 ( 4)     An Ordinance by Councilmember Carla Smith  
**Z-05-65**             **as amended by Zoning Committee** to rezone the portion of the property located at **1821 W. Anderson Avenue** that is zoned R-4 (Single Family Residential) to the O-I (Office Institutional) Classification, to issue a Special Use Permit for the subject property; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

**HELD**

### **E. PAPERS HELD IN COMMITTEE (CONT'D)**

**HELD**

Depth: Varies  
Area: Approximately 3.5 Acres  
Land Lot: 70, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Portfolio Properties Construction Co., LLC.  
Applicant: Portfolio Properties Construction Co., LLC.  
**NPU-Z Council District 12**

**HELD**

Depth: Varies  
Area: Approximately 0.339 Acre  
Land Lot: 44, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Atlanta Decatur Oxford District United  
Methodist Church, Bobby A. Jones, Trustee  
Chair  
Applicant: Jeffrey L. Wilson  
**NPU-W Council District 1**

HELD

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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

06-O-0955 ( 8)     A **Substitute** Ordinance by Zoning Committee to rezone from  
**Z-06-44**             the I-1-C (Light Industrial-Conditional) District to the MR5-A  
                         (Multi-Family Residential) District, property located at **1155**  
                         **Hill Street, SE**, fronting approximately 350 feet on the west  
                         side of Hill Street and approximately 272 feet on the north  
                         side of Englewood Avenue. **(Held 11/1/06 at the request of**  
                         **District Council Person)**

Depth:             Varies

Area:                Approximately 8.719 Acres

Land Lot:          55, 14<sup>th</sup> District, Fulton County, Georgia

Owner:             Jack and Harvey Taffel

Applicant:        Chaz E. Waters/Skyline Partners, LLC.

**NPU-Y**

**Council District 1**

**HELD**

06-O-2283 ( 9)     An Ordinance by Councilmembers Joyce M. Sheperd and  
                         Cleta Winslow authorizing the Mayor or her designee to place  
                         interim development controls on construction on all vacant  
                         parcels in the Murphy Triangle (lying within the boundaries  
                         of Murphy Avenue, Warner Street, Allene Avenue and Sylvan  
                         Road) for a period not to exceed nine (9) months; and for  
                         other purpose. **(Held 11/1/06 at the request of the author**  
                         **of the legislation)**

**HELD**

06-O-1439 (10)     An Ordinance by Zoning Committee to rezone from the R-3  
**Z-06-67**             (Single-Family Residential) District to the PD-H (Planned  
                         Development-Housing) District, property located at **653-711**  
                         **Longleaf Drive, NE**, fronting approximately 690 feet on the  
                         south side of Longleaf Drive, beginning approximately 445  
                         feet from the southeast corner of North Stratford Road. **(Held**  
                         **11/29/06)**

Depth:             Approximately 200 feet

Area:                Approximately 2.97 Acres

Land Lot:          44, 17<sup>th</sup> District, Fulton County, Georgia

Owners:            Andrew Fleshner, Executor for the Estate of  
                         Ruth B. Fleshner, Lee H. Wysong, James T. and  
                         Elaine H. Horton, Maxwell R. Calloway, Mary L.  
                         and Craig G. Adams, and Mark R. and Virginia  
                         D. Simpson

Applicant:        Jim Brown

**NPU-B**

**Council District 7**

**HELD**



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**F. ITEMS NOT ON AGENDA**

06-O-1889 ( 1)  
**CDP-06-66** An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta's 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate property located at **2650 Proctor Drive, NW**, from the "Low Density Residential" and "Open Space" Land Use Designations to the "Medium Density Residential" Land Use Designation; and for other purposes. **(Public Hearing held 9/11/06) (Held 9/12/06)**  
**NPU-G** **Council District 9**

**FAVORABLE**

06-O-1795 ( 2)  
**Z-06-70** An **Amended** Ordinance by Zoning Committee to rezone from the R-4A (Single-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **2650 Proctor Drive, NW**, fronting approximately 1,190 feet on the west side of James Jackson Parkway, NW, beginning approximately 1,121 feet from the northeast corner of Northwest Drive.  
Depth: Varies  
Area: Approximately 22.6 Acres  
Land Lots: 250 and 258, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Ashwood Development Company  
Applicant: James Bailey  
**NPU-G** **Council District 9**

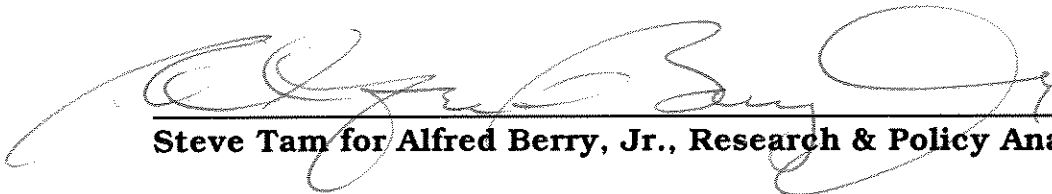
**FAVORABLE AS AMENDED**

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**There being no further business to come before the Zoning Committee the meeting was adjourned at 11:20 a.m.**

**Respectfully submitted:**

  
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**Angela H. Campbell, Legislative Secretary**

  
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**Steve Tam for Alfred Berry, Jr., Research & Policy Analyst**

  
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**The Honorable Carla Smith, Chairperson**